

Serial No.: 10/686,827

REMARKSStatus Summary

Claims 1-45 are pending in the present application. Claims 1-45 presently stand rejected. Claims 1 and 20 have been amended. The Amendments to the specification are to correct minor typographical errors only and do not add any new matter to the specification.

Claim Rejection - 35 U.S.C. § 102

Claims 1-45 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,519,331 to Stevens, et al., hereinafter referred to as "Stevens." This rejection is respectfully traversed.

Independent claims 1 and 20 respectively recite a method and a system for detecting and mitigating call routing arbitrage. In independent claim 1, the method includes receiving signaling messages and identifying signaling messages as candidates for call routing arbitrage screening. Claims 1 and 20 have each been amended to recite that call arbitrage includes misrouting calls to avoid tariffs. As illustrated in Figure 1 of the present application, one example of call routing arbitrage occurs when service provider B routes an inter-LATA call over local trunk groups to avoid inter-LATA tariffs. Support for the amendment to claims 1 and 20 appears on page 5, lines 5-6 of the present specification. In claims 1 and 20, the candidate signaling messages are screened and if call routing arbitrage is detected, an arbitrage mitigation action is performed.

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There is absolutely no teaching or suggestion in Stevens of a method for identifying or mitigating call routing arbitrage, where arbitrage includes misrouting a call to avoid tariffs. In contrast, Stevens is directed to the case where a calling party dials a number that the calling party believes to be a free or low cost call, when the number is actually a pay-per-call number. For example, Stevens states:

For instance, the telephone call 102 can have a fraudulent attribute if the telephony call is supposed to be an 800/888 free call but a particular destination of the called party 106A is a "pay-per-call" number. (See column 3, lines 6-9 of Stevens.)

From this passage and the remaining examples in Stevens, Stevens is directed to cases where a calling party is charged more than expected. In contrast, Independent claims 1 and 20 recite detecting call routing arbitrage where calls are misrouted to avoid tariffs. Because Stevens fails to teach or suggest all of the elements of claim 1 or 20, it is respectfully submitted that the rejection of the claims as anticipated by Stevens should be withdrawn.

CONCLUSION

In light of the above remarks, it is respectfully submitted that the present application is now in proper condition for allowance, and an early notice to such effect is earnestly solicited.

If any small matter should remain outstanding after the Patent Examiner has had an opportunity to review the above Remarks and Amendments, the Patent Examiner is respectfully requested to telephone the undersigned patent attorney in order to resolve these matters and avoid the issuance of another Official Action.

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JENKINS, WILSON&TAYLOR

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DEPOSIT ACCOUNT

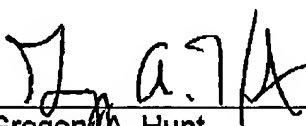
The Commissioner is hereby authorized to charge any fees associated with the filing of this correspondence to Deposit Account No. 50-0426.

Respectfully submitted,

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1322/153 GAH/CBL/sed

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